



# Board Agenda Item 21

DATE: June 18, 2024

TO: Board of Supervisors

SUBMITTED BY: John Zaroni, Sheriff-Coroner-Public Administrator

SUBJECT: Retroactive Memorandum of Understanding with the City of Fresno

RECOMMENDED ACTION(S):

- 1. Approve and authorize Chairman to execute a retroactive Memorandum of Understanding (MOU) with the City of Fresno, which provides that the City will act as a Fiscal Agent for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2023 Local Solicitation from the U.S. Department of Justice (U.S. DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA), (\$103,324);**
- 2. Approve and authorize Chairman to execute the Certifications and Assurances as Chief Executive of the Applicant Unit of Local Government; and**
- 3. Authorize the Sheriff-Coroner-Public Administrator or his designee to sign claims for reimbursement and programmatic reports that are necessary to stay in compliance with this grant.**

There is no additional Net County Cost associated with the recommended actions. The City of Fresno submitted the joint application before the August 31, 2023, deadline. The U.S. DOJ Edward Byrne Memorial JAG Program awarded the County \$103,324 with no required County match on September 26, 2022, for front line law enforcement, including the purchase of equipment, with no required County match. The City of Fresno is the lead agency for the grant application. The award period for this grant is from October 1, 2022, through September 30, 2026. The Sheriff-Coroner-Public Administrator's Office is recommending utilizing these funds to purchase a forensics investigations laser system to detect latent fingerprints and other evidence, tasers to be used by the Corrections team who are assigned to guard incarcerated people at off-site medical facilities, and small tools for the Video Infrastructure Protection Program (VIPP). This item is countywide.

ALTERNATIVE ACTION(S):

If your Board does not approve the recommended actions, the grant funds would be denied.

RETROACTIVE AGREEMENT:

The recommended joint application/agreement was announced by U.S. DOJ/OJP/BJA on June 30, 2023, and is retroactive to October 1, 2022, to be in line with the Federal Fiscal Year, as mandated by DOJ/OJP/BJA. The City of Fresno submitted the joint application before the August 31, 2023, deadline and received the award on September 26, 2023. The Sheriff's Office received the MOU from the City on April 25, 2024. Subsequent time for processing of the application/agreement and MOU delayed this item from being placed on an earlier Board date.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The recommended MOU with the City will complete the process for the County to receive its portion of the joint grant in the amount of \$103,324 with no required County match. The Special Revenue Fund for JAG Org 1456 has a balance of \$132,820. The appropriations and estimated revenues for the recommended agreement will be included in the Sheriff-Coroner-Public Administrator's FY 2024-25 Requested Budget for Org 3111. This fund was established to account for monies received from the U.S. DOJ, BJA Grant. The monies are drawn down in advance and transferred into the General Fund as JAG grant funds are expended.

DISCUSSION:

The Edward Byrne Memorial JAG program, administered by the BJA, blends the previous Byrne Formula and Local Law Enforcement Block grant programs, and provides States, tribes and local governments with critical funding necessary to support law enforcement programs, including the purchase of equipment. The City of Fresno and the County must submit a joint application specifying the funding distribution to each disparate unit of local government, and the purposes for which the funds will be used. The City has agreed to be the fiscal agent since 2005 to submit the application and administer the joint grant and required the County to sign the MOU first since the City of Fresno is the Fiscal Agent for this grant.

The County has received funding through this program since 1999. The County's FY 2023 JAG allocation of \$12,000 will enable the Sheriff's Office to purchase an Arrowhead Forensics Investigation Laser to be used by the Crime Scene Unit to support the EOD unit with evidence recovery of explosive devices and also utilized for evidence recovery on other items. The laser system is used to detect latent fingerprints and other evidence such as bone fragments, footprints, bodily fluids, and chemically treated prints. \$56,324 of the allocation will be used to augment the ongoing VIPP to expand video protection to high-risk facilities and resources that are determined to be critical infrastructure. \$1,166 of the allocation will be used to purchase tasers for the Corrections staff who are assigned to guard incarcerated people at off-site medical facilities.

To complete the JAG application and access award funds, the Chairman must execute the Certification and Assurances that the County will comply with all provisions of the JAG Program statute and all other applicable Federal laws, including that no federal funds will be used to supplant local funds that the application was submitted to the Board of Supervisors and made public with an opportunity to comment not less than 30 days before the date of the certification, that for each fiscal year of the award the County will maintain and report data, record and information that the Office of Justice programs may reasonably require and that the Chairman has reviewed 34 USC 10153(a)(5) and makes the certifications required by that section. The Chairman will need to wait 30 days to execute this certification to comply with the certification that the application was submitted to the Board of Supervisors not less than 30 days before the date of the certification.

The recommended MOU contains a mutual indemnification provision, which is typical in the County's agreements with other governmental agencies.

REFERENCE MATERIAL:

BAI# #24, April 11, 2023  
BAI#22, April 5, 2005

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - MOU with the City of Fresno

CAO ANALYST:

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